APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/231,656	04/25/94	ROSE	P P1219041

EXAMINER
LEWIS, C

ART UNIT	PAPER NUMBER
2307	10

53M1/0113

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DATE MAILED: 01/13/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on _____ 11/1/96 _____ .

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire_____ 3 _____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) _____ 1-27 _____ is/are pending in the application.

  Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ 5-27 _____ is/are allowed.

☒ Claim(s) _____ 1-4 _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

  ☐ received.

  ☐ received in Application No. (Series Code/Serial Number) _____ .

  ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

PTOL-326 (Rev. 10/95)

1.   Claims 1-27 are presented for examination.

2.   Claims 5-27 are allowable over the prior art of record.

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4.   Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Schell et al., Patent Number: 5,504,896.

5.   - With respect to claims 1 and 2,

Schell discloses a computer system (fig. 1), an access device for enabling user communication (fig. 1, items 112-134), and the means for storing a user profile (fig. 2, item 104) for each user having access to the available item of information (fig. 2, items 106 & 108, fig. 3, items 304 & 306, & figs. 5 & 6). Schell discloses the means which essentially comprise the same means as ranking the likely degree of interest (fig. 8, item 804/Incoming Event Message Buffer, item 810/Triggering Event Message, item 812/Old State, item 814/New State). Schell discloses presenting the items of information to an access device (fig. 5 & fig. 6, item 628). Schell also discloses enabling the user to indicate a user's interest (fig. 5, menu means) and the user profile means (fig. 6, items 618, 604, 6060, 608, 622, 626, etc.).

6.   - With respect to claims 3 and 4,

Schell the information attribute content means (fig. 5, Background, Menu, Movies, Shopping, Games, Other Items).

9.   Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new grounds of rejection.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

CL
December 24, 1996